

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action
No. 05-10506-WGY

* * * * *

BLUE HILLS OFFICE PARK LLC, *

Plaintiff, Defendant-in-Counterclaim, *

v. *

J.P. MORGAN CHASE BANK, as Trustee for the *

Registered Holders of Credit Suisse First Boston *

Mortgage Securities Corp., Commercial Mortgage *

Pass-Through Certificates, Series 1999-C1, *

and *

CSFB 1999-C1 ROYALL STREET, LLC; *

Defendants, Plaintiffs-in-Counterclaim, *

v. *

WILLIAM LANGELIER and GERALD *

FINEBERG, *

Defendants-in-Counterclaim. *

* * * * *

BENCH TRIAL - VOLUME 3

BEFORE: The Honorable William G. Young,
District Judge

1 Courthouse Way
Boston, Massachusetts

September 15, 2006

A P P E A R A N C E S

BERNKOPF GOODMAN LLP (By Peter B. McGlynn, Esq. and Meredith A. Swisher, Esq.), 125 Summer Street, Suite 1300, Boston, Massachusetts 02110, on behalf of Plaintiff/Defendant-in-Counterclaim and Defendants-in-Counterclaim

DLA PIPER RUDNICK GRAY CARY US LLP (By Bruce E. Falby, Esq., Bruce S. Barnett, and Traci S. Feit, Esq.), 33 Arch Street, 26th Floor, Boston, Massachusetts 02110-1447, on behalf of Defendants and Plaintiffs-in-Counterclaim

I N D E X

WITNESS: DIRECT CROSS REDIRECT RECROSS

JOSEPH DONOVAN, Resumed

By Mr. McGlynn 5 105

By Mr. Falby 26

ANDREW HOWARD COHN

By Mr. McGlynn 127

EXHIBITS: FOR IN
I.D. EVID.

148 Monthly Statements 4
EY Site Plan 15
149 Site Plan 16
150 Management Agreement 18